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Central Intelligence Agency

Washington, D.C. 20505

15 June 2005

Mr. Ivan Hernandez
Telemundo
3000 W. Alameda Avenue, #2276
Burbank, CA 91532

Reference: F-2005-00538

Dear Mr. Hernandez:

This is further to our letter of 18 January 2005 concerning your 10 January 2005 Freedom of Information Act (FOIA) request for information or confirmation of the following:

1. Eduardo Diaz Silveti, a Mexican citizen [redacted] who you say worked with the CIA on an operation; and
2. A CIA operation that supposedly took place in December 1959 in Mexico City where Mr. Diaz Silveti claims he assisted the CIA and NASA obtain information on the Soviet space program.

(b)(6)

Further, you are requesting information on whether or not the following people worked for the CIA and if they had involvement in the above-mentioned operation:

3. Warren Dean,
4. Winston Scott, and
5. Robert Zambernardini Luchi.

We note your statement that your colleague, Ms. Maria Garcia, made the same request in 2002, and you wish to know if there is any new information available that may not have been at the time of your first writing.

With regard to information requested on foreign nationals **(item 1)**, it is the CIA policy to neither confirm nor deny the existence or nonexistence of any CIA records. Unless officially acknowledged, such information would be classified for reasons of national security under Sections 1.4(c) [intelligence

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sources and methods] and 1.4(d) [foreign relations] of Executive Order 12958, as amended. Further, the Director of the Central Intelligence Agency has the responsibility and authority to protect such information from unauthorized disclosure in accordance with Section 103 (c)(7) of the National Security Act of 1947 and Section 6 of the CIA Act of 1949.

Accordingly, this portion of your request is denied on the basis of FOIA exemptions (b)(1) and (b)(3). By this action, we are neither confirming nor denying the existence or nonexistence of such records. An explanation of cited FOIA exemptions is enclosed.

Further, in accordance with Section 3.6(a) of Executive Order 12958, as amended, the CIA can neither confirm nor deny the existence or nonexistence of records responsive to **item 2** of your request. The fact of the existence or nonexistence of requested records is properly classified and relates to intelligence sources and methods information Section 6 of the CIA Act of 1949 protects. Therefore, the Agency has denied this portion of your request pursuant to FOIA exemptions (b)(1) and (b)(3).

Regarding **items 3 and 5**: To the extent that your request seeks records that would reveal a covert connection between CIA and the subject of your request, I must inform you that the CIA can neither confirm nor deny any confidential or covert relationship, or interest in developing such a relationship, with any particular individual, organization, or other entity. Records disclosing this type of information necessarily would be classified pursuant to Executive Order 12958. Further, the fact of the existence or nonexistence of such records would relate directly to information concerning intelligence sources and methods which, as explained above, in accordance with Section 103 (c)(7) of the National Security Act of 1947 and Section 6 of the CIA Act of 1949, the Director of the Central Intelligence Agency has the legal responsibility and obligation to protect from unauthorized disclosure. Therefore, to the extent your request might concern records containing such information, it is denied pursuant to FOIA exemptions (b)(l) and (b)(3).

The CIA official responsible for these decisions is Scott Koch, Information and Privacy Coordinator. By this action we are neither confirming nor denying that any such information exists. You have the right to appeal these determinations by addressing your appeal to the Agency Release Panel, in my care, within 45 days from the date of this letter.

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With regard to **item 4**, we conducted another search of our database of released records for documents on Winston Scott, but did not locate any relevant records beyond the ones you received in response to the request made in 2002 by your colleague, Ms. Garcia.

Sincerely,

Scott Koch
Information and Privacy Coordinator

Enclosure

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(b)(3)
(b)(6)

IMS/IRRG/PIPD/ 13 June 2005
Signature assigned by:
Distribution:
Orig - Adse
1 - PIPD/F-2005-00538 DIF (b)(1) and (b)(3)

(b)(3)
(b)(6)

FOIA\ 00538 Hernandez DIF

(b)(3)
(b)(6)

Enclosures: CFR, Exemptions

(b)(3)
(b)(6)

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